Indeed, it is interesting to note that both AT&T and MCI are in the business of providing both retail and wholesale long distance services. Both also offer promotional long distance discounted rates for those services provided to end users at retail. The purpose of these promotions is to provide their consumers with a competitive price for their product in the long distance marketplace.

It is also quite common for long distance carriers to provide bulk long distance services at wholesale prices to other carriers. These services sold at wholesale prices are then packaged and marketed as retail products and services to the end users. Certainly, this is the manner in which most wholesale/retail markets operate. What is not an operative practice in the long distance marketplace, however, is the offering of the long distance carrier's promotional product for resale. It is incongruous and at odds with the intent of promotional offerings. For example, AT&T would not allow resale of a promotional aspect of one of its True Calling Plans. It just does not make any sense. Promotional products are intended to impact the end user purchasing behavior with a pricing action. They are discounted to directly affect the purchaser's behavior of the service or product. Wholesale pricing of a promotional product is illogical, and flies in the face of market realities.

There is no reason for reconsideration of the exclusion of promotions from the resale provisions of Section 251(c)(4). It is a transparent attempt on the part of AT&T and MCI to obtain an additional increment of resale discount, and the proposal should be dismissed.

D. Performance Standards

Teleport argues that the Commission should establish performance standards for incumbent LECs and that incumbent LECs should provide quarterly reports on meeting these standards. Teleport's request should be rejected.

Such performance standards would inevitably fail to take into account differences in the administrative and operations support systems and test equipment utilized by LECs. Furthermore, LECs may be subject to different State service standards. The Commission has rejected mandatory performance standards in the context of expanded interconnection, preferring to leave such matters to negotiations. The same approach should be followed here.

E. Line-To-NID Connection

MFS requests that the Commission order incumbent LECs to permit a new entrant to connect its loops directly to the incumbent LEC's Network Interface Device (NID). MFS's request should be denied.

In the Order, the Commission found that the line-to-NID connection method was neither necessary to promote competition nor clearly technically feasible.[33] MFS has presented no new arguments or changed circumstances which warrant revisiting this issue. Furthermore, such connections raise significant health, safety and network reliability concerns.

F. AIN Access

MCI requests that the Commission further unbundle AIN capabilities, including triggers for delivery to a third party SCP and interconnection to a third party's AIN SCP database. MCI's request should be rejected.

---

[33] Order, ¶¶ 395-396.

In the Order, the Commission declined to order such interconnection noting the technical feasibility of such interconnection had not been determined and that concerns about network reliability, security and access to customer proprietary information remain unresolved.[34] MCI has not shown any changed circumstances to warrant deviation from this finding. Such interconnection would effectively require the incumbent LEC to relinquish control over the operations of its switch, thereby leaving the switch vulnerable to a multitude of potential harms. Mediation mechanisms to protect data in the incumbent LEC's AIN SCPs and ensure against excessive traffic volume do not currently exist at the pertinent network elements.[35]

In order to ensure network reliability and non-discriminatory access to AIN capabilities for all carriers, the development of new capabilities must reside on incumbent SCPs where incumbents must have a role in directing and administering their development.[36] If a carrier is allowed to develop and test its own software for deployment on its own SCP which will respond to queries from NYNEX's switch and control call processing there, the incumbent LEC would be unfamiliar with the resident software and its capabilities, and would be unable to detect messages

---

34 Order, ¶¶ 501-502.

35 MCI's contention that existing mediation functions in the SS7 network are sufficient to prevent harm are incorrect. The gateway screening functions that STPs perform today ensure the proper origination and termination points of SS7 traffic on a service-specific basis. On the other hand, since the interconnection of a third party's AIN SCP will be controlling the call processing in NYNEX's switch, the incumbent LEC must be able to evaluate and verify that the content of these SS7 messages is appropriate without specifically knowing what the service is. This ability is what does not exist.

36 At a minimum, this role must include the ability to test how these capabilities will impact the network, etc.

that are inappropriate or that are otherwise potentially damaging to the overall network, specific network elements or individual services.[37]

G. **Collocation Charges**

MCI argues that the charges imposed by incumbent LECs for collocation should be based on forward-looking rates and that proxy ceilings using the tariffed rates developed in the Expanded Interconnection proceeding are improper. MCI is incorrect.

NYNEX's charges for collocation comport with the Commission's TELRIC principles. In fact, NYNEX's collocation charges are probably lower than those that would be produced by a TELRIC cost study.[38] For example, NYNEX's labor rates used to calculate its charges reflect only current labor rates; they do not provide for likely labor rate increases in the future.

The Commission indicated that "[c]osts must be attributed on a cost-causative basis. Costs are causally related to the network element being provided if the costs are incurred as a direct result of providing the network elements, or can be avoided, in the long run, when the Company ceases to provide them."[39] NYNEX's vendor costs for collocation node construction and extraordinary power, and its costs for engineering labor devoted to the provision of collocation are the direct result of providing physical collocation to the particular collocator. If NYNEX were not providing that arrangement, NYNEX would not incur those costs.

---

[37] To that end, MCI's determination that the Manhattan LNP trial was conclusive is equally inappropriate. The Manhattan LNP trial was a very limited test which was service-specific and closely monitored. The messages translated between the switch and outside database were agreed upon ahead of time and were not deviated from during the trial. Importantly, no "live" customers were involved. Likewise, the examples of 800 and LIDB which MCI cites are similarly inappropriate.

[38] Of course, the Commission's use of TELRIC is under judicial review.

[39] Order, ¶ 691.

NYNEX's charges for floor space and cable space are computed on NYNEX's land, buildings and cable expenses on a per central office basis. Thus, collocators are only charged an allocable cost for the specific central offices in which they choose to collocate. These charges are also consistent with the TELRIC methodology which permits allocation of forward-looking common costs, such as land and buildings. Again, NYNEX's current rates are likely somewhat lower than those which would be produced under a full TELRIC analysis. NYNEX's floor space and cable space costs are computed using booked expenses including depreciation. If NYNEX were to project future costs to construct those existing central offices, those costs are likely to be higher, thus reflecting higher land, labor and materials charges without the offset for depreciation reflected in its current booked amounts.

H. Geographic Rate Deaveraging

Several petitioners suggest that the issue of geographic rate deaveraging, especially for loops, needs to be revisited. AT&T claims that rate deaveraging must include all loops in a state, not just the loops in the incumbent LEC's area.[40] Sprint notes that deaveraging proxy rates for loops may divert resources away from developing cost based unbundled loops.[41] MFS questions whether every individual rate element needs to be deaveraged.[42] ALTS suggests that the deaveraging of loops be accomplished by segmenting wire centers into loop density groups.[43] All of these proposals should be rejected.

---

[40] AT&T, pp. 26-28.

[41] Sprint, p. 7.

[42] MFS, p. 20.

[43] ALTS, p. 2.

In its proposed rules, the Commission directed establishment of different rates for elements within the states to reflect geographic cost differences. Deaveraging of elements into cost related zones is a reasonable concept as it allows rates to reflect the underlying cost differences among areas that the incumbent LEC serves. However, inclusion of all incumbent LECs in some state-wide deaveraging concept does not assure that each LEC will recover its costs since some LECs' costs may be higher than the average.

In addition, segmenting loop costs by wire centers is not required. Cost causative factors do not need to be specified at a wire center level, as wire centers and areas can be aggregated into similar groupings for the purpose of rate deaveraging. The use of cost causative rate deaveraging will insure that those elements that need to be deaveraged because of an underlying cost characteristic will result in rates that vary within the state. To the extent that underlying cost relationships do not vary by geography within the state, there will not be a need to reflect any differences in rates within that state.

I. Sub-Loop Unbundling

ALT and MFS argue that sub-loop elements must be made available as unbundled network elements. MCI contends that loop distribution should be made available on an unbundled basis. Loop distribution is the portion of the loop from and including the network interface device at the customer premise to the feeder distribution interfaces that reside outside the central office environment. This could consist of, among other things, digital loop carriers, aerial terminals, buried terminals, subscriber cable terminals and balcony terminal applications.

In the Order, the Commission declined to require sub-loop unbundling based on the record evidence. The Commission noted that the proponents of sub-loop unbundling had failed to address the technical concerns and the concerns regarding network reliability raised by incumbent LECs. The Commission agreed with the incumbent LECs that "at this stage, based on the current record evidence, the technical feasibility of sub-loop unbundling is best addressed at the State level on a case-by-case basis at this time."[44]

The Commission's determination that sub-loop unbundling should be considered on a case-by-case basis is the only workable approach to this issue for a variety of reason. Included among the concerns is the fact that there is no one standard configuration of sub-loop elements. Given the variety of sub-loop configurations and the lack of standards and interfaces for sub-loop transmission elements, a generic mandate would be impossible to administer. Moreover, because loop configurations today can vary tremendously, requiring a certain subset of elements under the loop to be opened to interconnectors in effect will dictate a de facto loop configuration that would place a wholly unnecessary and inefficient constraint on network design.

An additional impediment to a generic sub-loop unbundling mandate is the fact that sub-loop unbundling does not occur at natural interconnection points As a result, existing provisioning, testing, tracking, maintenance, and billing systems would need to be modified significantly -- at substantial cost -- to accommodate any type of sub-loop unbundling. This is due in large part to the fact that loops were never designed to be segmented or controlled by numerous carriers. In many cases, NYNEX would be required to substitute manual systems for existing automated systems for some period of time while new automated systems were being designed and developed to accommodate sub-loop unbundling.

[44] Order, ¶¶ 376,391.

While NYNEX has no objection to negotiating sub-loop unbundling with requesting carriers, it makes no sense for the Commission to mandate sub-loop unbundling when incumbent LECs themselves have figured out how to implement it. To NYNEX's knowledge, no LEC has developed, tested or implemented sub-loop unbundling precisely because of the serious questions surrounding its technical feasibility.

For the foregoing reason, NYNEX submits that the Commission should not order incumbent LECs to provide sub-loops on an unbundled basis, but rather should leave the issue to negotiation between the parties.

IV. PAGING COMPANIES SHOULD NOT BE CLASSIFIED AS LOCAL EXCHANGE CARRIERS AND SHOULD NOT RECEIVE RECIPROCAL COMPENSATION

A. Paging Companies Do Not Provide Telephone Exchange Service gr Exchange Access

AirTouch Paging, Paging Network, Inc. ("PNI") and others argue that the Commission erred in its determination that paging companies do not provide "telephone exchange service."[45] AirTouch states that the Commission found in the Order that "at a minimum" cellular, broadband PCS, and covered SMR providers provide telephone exchange service. AirTouch argues that the use of the clause "at a minimum" indicates that the Commission has left the door open for inclusion of other carriers in the telephone exchange service provider category.[46] PNI argues that the Commission's determination that paging companies do not provide telephone exchange service is both wrong and inconsistent with prior precedents and the conclusion that the

[45] AirTouch, pp. 7-12; PNI, pp. 13-17.

[46] AirTouch, p. 7.

Commission reached in the Order (at ¶¶ 1013-15) that CMRS providers in general offer services that are "at a minimum" comparable services to telephone exchange service.[47]

AirTouch and PNI both ignore three fundamental realities: (1) in the Order, the Commission repeatedly distinguishes paging service providers from cellular, broadband PCS and SMR providers; (2) the service provided by paging service providers does not meet the Act's definition of either telephone exchange service or exchange access; and (3) the Commission does not find that paging service is "at a minimum" comparable to cellular, broadband PCS and SMR services.

In the Order, the Commission concluded that CMRS providers meet the statutory definition of telecommunications carriers and stated that all CMRS providers offer telecommunications. Under Section 25 l(a) of the Act, all telecommunications carriers must interconnect directly or indirectly with the facilities and equipment of other telecommunications carriers. In defining the interconnection obligations of incumbent LECs under Section 25 1 (c)(2)(A), the Commission stated that an incumbent LEC must provide interconnection with its local exchange network to any requesting telecommunications carrier for the transmission and routing of telephone exchange service and exchange access.[48] However, the Commission excluded paging service providers from those CMRS providers with whom incumbent LECs must interconnect.[49]

---

47 PNI, pp. 13-14.

48 Order, ¶ 1009.

49 Order, ¶ 1013.

The Commission correctly distinguishes paging service providers from other CMRS providers based on the definition of telephone exchange service. The Act defines telephone exchange service as service within a telephone exchange, or within a connected system of telephone exchanges within the same exchange area operated to furnish to subscribers intercommunicating service, or (B) comparable service provided through a system of switches, transmission equipment, or other facilities (or combination thereof) by which a subscriber can originate and terminate a telecommunications service. Based on this distinction, the Commission concluded that "at a minimum" cellular, broadband PCS, and covered SMR providers fall within the second part of the definition because they provide comparable service to telephone exchange service.[50] The Commission again correctly excluded paging service providers because these providers do not provide either telephone exchange service or exchange access.

PNI is plainly incorrect in inferring the Commission's Order is internally inconsistent." The Commission correctly and consistently distinguishes paging service providers on the basis that they do not provide telephone exchange service or exchange access.* Both AirTouch and PNI also suggest that a Webster's Dictionary definition of "intercommunicating" is broad enough to include a one-way only service. That, of course, ignores the plain language of Section 3(47)

---

[50] Id.

[51] PNI, p.13.

[52] "We further note that, even if we were to classify some CMRS providers as LECs, other types of CMRS providers, such as paging providers, might not be so classified because they do not offer local exchange service or exchange access." Order, ¶ 1005 (emphasis supplied). "Paging is not 'telephone exchange service' within the meaning of the Act because it is neither 'intercommunications service of the character ordinarily furnished by a single exchange' nor 'comparable' to such service. See 47 U.S.C. $153 (47)." Second Report, p. 141 n. 700.

of the Act which defines telephone exchange service as a service that enables a subscriber to originate and terminate a telecommunications service. Customers of a paging service provider are incapable of originating telecommunications utilizing the facilities of the paging service provider.

AirTouch and PNI attach identical charts which allegedly support their contention that one-way paging service provides a functionally equivalent service to that provided by cellular/PCS, SMR, IMTS and Air-to-Ground services. The charts are incomplete and misleading in their omission of arrows on cellular/PCS, SMR, IMTS and Air-to-Ground services charts indicating the capability of originating calls from subscribers of those services which terminate on either a LEC's or another land-line service provider's network, or, in the case of cellular/PCS, to another cellular/PCS customer on the same or a different cellular/PCS system. The omitted arrows on the charts indicating the ability to originate telecommunications is the fundamental distinction between these CMRS providers and paging service providers.

B. Reciprocal Compensation Arrangements Should Not Be Applied To One-Way Paging Services

Reciprocal compensation arrangements should not apply when service and compensation payments are exclusively one-way as in the case of calls to paging service providers. Webster's Dictionary, a source authority relied on by AirTouch and PNI,[53] defines "reciprocate" as: "1: to give and take mutually 2: to return in kind or degree."[54] The interconnection provided by a LEC to a paging service provider is clearly not a reciprocal arrangement. Calls to a paging customer are originated by a LEC customer and delivered to the paging service provider to activate the

53 AirTouch, p. 12; PNI, p. 15.

54 Webster's New Collegiate Dictionary (1981).

individual paging unit. No "telecommunications" are originated by the paging customer using either the paging unit or the paging service provider's network for delivery to a customer of a local exchange service provider. And, unlike other CMRS services, paging customer cannot even complete "telecommunications" among themselves using the paging service provider's network.

The Comments filed by Kalida Telephone Company are correct that paging service exists for the convenience and need of paging customers.[55] A LEC should not be obligated to pay for the construction and operation of paging service networks simply because interconnection is required to permit a paging service customer to be notified of a call from a landline or CMRS telephone customer. Paging service providers should recover the cost of their network as part of their charges for service provided to their customers. Kalida is correct that the one-way flow of compensation creates opportunities for abuse and distortion of calling patterns whose sole purpose is to increase compensation payments.[56]

Congress did not intend for reciprocal compensation to be applied when compensation flows exclusively one way. Section 252(d)(2) specifically provides that reciprocal compensation is to be paid by incumbent LECs only on calls that originate on the network facilities of another carrier. Since calls do not originate on a paging service provider's network, reciprocal compensation under Sections 25 1 (b)(2) and 252 (d)(2)(A)(i) is clearly inapplicable. The Commission should therefore reconsider its previous determination that incumbent LECs must pay reciprocal compensation to paging service providers.

---

[55] Kalida, pp. 3-4.

[56] Id., pp. 8-9.

C. The Commission Correctly Concluded That Symmetrical Rates Are Inapplicable For Termination Rates For Paging Service Providers

If the Commission concludes that compensation should be paid to paging companies, it is clear that paging company costs are significantly less than the costs of wireline service provider and must be supported by cost studies. Paging service providers are not entitled to termination rates equal to the LECs' termination rate.

AirTouch argues that under Section 252(i), it is entitled to "most favored nation" protection."[57] The significant point which AirTouch conveniently overlooks is that "most favored nation protection" is only applicable to any interconnection, service, or network element provided under an agreement approved under Section 252. Paragraph 13 10 of the Order cited by AirTouch addressed only the ability of a requesting carrier to elect specific elements versus the entire agreement.[58] As previously described, the Commission has concluded that an incumbent LEC's interconnection obligations under Section 252 are limited to CMRS providers which provide comparable service to telephone exchange service.[59] Since paging service providers do not provide service comparable to telephone exchange service, they are not a requesting carrier and, therefore, interconnection arrangements negotiated between an incumbent LEC and a telephone exchange service provider pursuant to Section 252 are simply inapplicable to paging service providers.

The Commission also supported the distinction by examining the fundamental differences between the LEC wireline network and a paging service network and correctly concluded that

---

[57] AirTouch, p1 3 .

[58] AirTouch, p.11-12.

[59] Order, ¶ 1013.

those differences make it inappropriate to apply its symmetrical rate principle in determining the applicable termination rate for paging service providers.[60] Contrary to AirTouch's and PNI's assertion, paging networks are not comprised of similar types and amounts of equipment. AirTouch has previously acknowledged the significant differences in a paging service provider's network:

> "As the Commission itself observed, the market for paging and narrowband PCS service is highly competitive with at least five to as many as fifteen operators in each market. In addition to the large numbers of channels available, the paging industry has also been gradually increasing the capacity of its systems. The fastest technology, Flex, promises to support up to 600,000 digital display subscribers on a single channel....The competitive environment of the paging and narrowband PS [sic] industry will require that carriers not charge unjust or unreasonable rates. A reseller faced with such a situation could either change carriers, or construct its own system."[61]

AirTouch cannot point to markets in which there are five to fifteen cellular, broadband PCS and SMR providers who support up to 600,000 customers with single channel, nor who face the prospect of someone constructing their own system if resale arrangements are unacceptable. The Commission is correct in its determination that an incumbent LECs' costs for termination of traffic should not be used as a proxy for paging providers' costs.[62]

D. Paging Service Providers Are Not Being Subjected To Discriminatory Rate Treatment

AirTouch and PNI also argue that excluding paging service providers from CMRS providers which provide telephone exchange and exchange access will be discriminatory and

---

[60] Order, ¶ 1092-1093.

[61] terconnection and Resale Obligations Pertaining to Commercial Mobile Radio Services, CC Docket 95-54, Comments of AirTouch Communications, Inc., pp. 16-17 (June 14, 1995).

[62] Order, ¶ 1092.

place paging services at a competitive disadvantage.[63] The premise of their argument is that some cellular and PCS providers have the capability of also providing paging services within their network. The fact that these cellular and CMRS providers are capable of providing a service which is functionally similar to that provided by paging service providers is not relevant.

The Commission correctly based its conclusion on the fact that a paging service network is fundamentally different than wireline and cellular networks.[64] Cellular and PCS providers which integrate paging capabilities with their cellular and PCS services still use their more complex network to send the paging notification to a cellular or PCS handset. And, unlike one-way paging service, the recipient of a paging notification on an integrated system can originate a call on the cellular or PCS network for completion to a customer on an incumbent LEC's wireline network. However, to the extent cellular and PCS providers offer paging services on a non-integrated basis, the same rates and interconnection arrangements applicable to AirTouch and PNI's paging services would be applicable to the non-integrated paging service of those providers.

---

[63] AirTouch, p. 18; PNI, p. 17.

[64] Order, ¶ 1092.

V. CONCLUSION

The Commission should reconsider and/or clarify its First Report and Order in this proceeding as set forth herein.

Respectfully submitted,

NYNEX Telephone Companies

By: William J. Balcerski
William J. Balcerski

1111 Westchester Avenue
White Plains, NY 10604
(914) 644-6207

Their Attorney

Dated: October 31, 1996

balcersk\96-98-1.doc

CERTIFICATE OF SERVICE

I, Yvonne Kuchler, hereby certify that copies of the foregoing COMMENTS in CC Docket No. 9698 were served on the parties listed on the attached service list, this 31st day of October, 1996, by first class United States mail, postage prepaid.

Yvonne Kuchler

Yvonne Kuchler

Congressman Dave Weldon
Congress of the United States
House of Representatives
216 Cannon House Office Building
Washington, DC 205 15

Congresswoman Carrier P. Meek
Congress of the United States
House of Representatives
404 Cannon House Office Building
Washington, DC 205 15

James Baller
Lana Meller
Attorneys for the American Public Power Assoc.
The Baller Law Group
1820 Jefferson Place, NW
Suite 200
, Washington, DC 20036

Carl W. Northrop
Christine M. Crowe
Attorneys for AirTouch Paging, Cal-Autofone, Radio Electronic Products Corp.
Paul, Hastings, Janofsky & Walker LLP
1299 Pennsylvania Avenue, NW
Washington, DC 20004-2400

Mr. Mark A. Stachiw
Vice President, Sr. Counsel and Secretary
AirTouch Paging
Three Forest Plaza
12221 Merit Drive, Suite 800
Dallas, TX 75271

Shirley S. Fujimoto
Christine M. Gill
Kris Anne Monteith
Attorneys for American Electric Power Service, etc.
McDermott, Will & Emery
1850 K Street, NW - Suite 500
Washington, DC 20006

Mr. Perry S. Goldschein
Joanne Salvatore Bochis, Esq.
National Exchange Carrier Association, Inc.

Linda L. Agerter
Shirley A. Woo
Attorneys for Pacific Gas and Electric Company
Law Department, B30A
P.O. Box 7442
San Francisco, CA 94120

Leon M. Kestenbaum
Jay C. Keithley
Richard Juhnke
Sprint Corporation
1850 M Street, NW
Washington, DC 20036

Judith St. Ledger-Roty
Reed Smith Shaw & McClay
Attorneys for Paging Network, Inc.
1301 K Street, NW
Suite 1100 - East Tower
Washington, DC 20005-33 17

Christine 0. Gregoire
Attorney General
Steven W. Smith
Assistant Attorney General
Utilities and Transportation Division
1400 S. Evergreen park Drive, SW
P.O. Box 40128
Olympia, WA 98504-0128

Walter Steimel, Jr.
Marjorie K. Conner
Hunton & Williams
Attorneys for Pilgrim Telephone, Inc.
1900 K Street, NW
Washington, DC 20006

Betty D. Montgomery
Attorney General of Ohio
Jodi J. Bair
Assistant Attorney General
Public Utilities Section
180 East Broad Street
Columbus, OH 43215-3793

Michael S. Varda
Counsel - Telecommunications Division
Public Service Commission of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854

Anthony Marquez
First Assistant Attorney General
STATE OF COLORADO
1580 Logan Street, OL2
Denver, CO 80203

Pat Wood, III
Robert W. Gee
Judy Walsh
Public Utility Commission of Texas
7800 Shoal Creek Blvd.
Austin, TX 78757

Daniel S. Goldberg
Goldberg, Godle, Wiener & Wright
Attorneys for Rand McNally & Company
1229 Nineteenth Street, NW
Washington, DC 20036

Russell D. Lukas
David L. Nace
Lukas, McGowan, Nace & Gutierrez, Chtd.
Attorneys for Margaretville Telephone Co., Inc.
1111 19th Street, NW
Suite 1200
Washington, DC 20036

Teresa Marrero
Senior Regulatory Counsel
Teleport Communications Group Inc.
Two Teleport Drive
Staten Island, NY 103 11

Mitchell F. Brecher
Fleischman and Walsh, L.L.P.
Attorneys for Time Warner Communications
1400 Sixteenth Street, NW
Washington, DC 20036

Mark. C. Rosenblum
Roy E. Hoffinger
Stephen C. Garavito
Richard H. Rubin
AT&T Corporation
295 N. Maple Avenue
Basking Ridge, NJ 07920

William F. Maher, Jr.
David Colton
Halprin, Temple, Goodman & Sugrue
Attorneys for The Local Exchange Carrier Coalition
1100 New York Avenue, NW
Suite 650 East
Washington, DC 20005

Jeffrey L. Sheldon
Sean A. Stokes
UTC
1140 Connecticut Avenue, NW
Suite 1140
Washington, DC 20036

Dana Frix
Antony R. Petrilla
Swidler & Berlin, Chtd.
Counsel for WinStar Communications, Inc.
3000 K Street, NW
Suite 300
Washington, DC 20007

Robert J. Aamoth
Reed Smith Shaw & McClay
Counsel for WorldCom, Inc.
1301 K Street, NW
Suite 1100 - East Tower
Washington, DC 20005

Richard J. Metzger
Emily M. Williams
Assoc. for Local Telecommunications Services
1200 19th Street, NW
Suite 560
Washington, DC 20036

Richard E. Jones
Walter Steimel, Jr.
Marjorie K. Conner
Hunter & Williams
Attorney for Carolina Power & Light Company
1900 K Street, NW
Washington, DC 20036

Thomas J. Keller
Kathy D. Smith
Verner, Liipfert, Bernhard, McPherson & Hand
Counsel for the Association of American Railroads
901 Fifteenth Street, NW
Suite 700
Washington, DC 20005

John D. McMahon
Mary L. Krayeske
Consolidated Edison Company of New York, Inc.
4 Irving Place
Room 1815-S
New York, NY 10003

Paul H. Kuzia
Vice President, Engineering & Regulatory Affairs
Arch Communications Group, Inc.
1800 West Park Drive
Suite 350
Westborough, MA 0 158 1

Leonard J. Kennedy
Laura H. Phillips
Peter A. Batacan
Attorneys for Comcast Cellular Communications
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036

Michael F. Altschul
Randall S. Coleman
Counsel for Cellular Telecommunications Industry Association
1250 Connecticut Avenue, NW
Suite 200
Washington, DC 20036-3384

Ellyn Crutcher
Consolidated Communications Telecom Services
321 South 17th Street
Mattoon, IL 61938

David L. Swanson
Edison Electric Institute
70 1 Pennsylvania Avenue
Washington, DC 20004

Ralph Miller
Kalida Telephone Company, Inc.
12 1 E. Main Street
Box 267
Kalida, OH 45853

Raymond G. Bender
J.G. Harrington
Peter A. Batacan
Attorneys for Vanguard Cellular Systems, Inc.
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036

Dale G. Stoodley
Joanne M. Scanlon
Delmarva Pwer & Light Company
800 King Street
P.O. Box 23 1
Wilmington, DE 19899

John H. O'Neill, Jr.
Norman J. Fry
Shaw, Pittman, Potts & Trowbridge
Attorneys for Duquesne Light Company
2300 N Street, NW
Washington, DC 20037-l 128

Jonathan Jacob Nadler
Brian J. McHugh
Squire, Sanders & Dempsey
Attorneys for Information Technology Association of America
1201 Pennsylvania Avenue, NW
P.O. Box 407
Washington, DC 20044

Werner K. Hartenberger
Laura H. Phillips
J. G. Harrington
Dow, Lohnes & Albertson, PLLC
Attorneys for Cox Communications, Inc.
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036

David L. Brenner
Neal M. Goldberg
David L. Nicoll
The National Cable Television Assoc., Inc.
1724 Massachusetts Avenue, NW
Washington, DC 20036

Andrew D. Lipman
Russell M. Blau
Swidler & Berlin, Chtd.
Attorneys for MFS Communications Co., Inc.
3000 K Street, NW
Suite 300
Washington, DC 20007

Lisa B. Smith
Don Sussman
Larry Fenster
Christopher Frentrup
Alan Buzacott
Kmberly Kirby
MCI Telecommunications Corp.
180 1 Pennsylvania Avenue, NW
Washington, DC 20006

Jesse A. Dillon, Esq.
Pennsylvania Power & Light Company
Two North Ninth Street
Allentown, PA 18101-l 179

Charles H. Helein, Esq.
America's Carriers Telecommunication Assoc.
950 South Winter Park Drive
Suite 325
Casselberry, FL 32707